



February 22, 2002

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## ENGROSSED SENATE BILL No. 158

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DIGEST OF SB 158 (Updated February 19, 2002 7:58 PM - DI 14)

**Citations Affected:** IC 12-15.

**Synopsis:** Pharmacy dispensing fee survey. Requires the office of Medicaid policy and planning to, at least once every two years, conduct a survey of pharmacy providers to assess the appropriate level of dispensing fees paid to providers for prescribed drugs. Lists factors that must be considered in the survey. Specifies that if an adjustment in dispensing fees is made following a survey, the secretary of the office of family and social services is required to commence the rulemaking process to implement the adjustment not later than November 1 of the year in which the survey is conducted.

**Effective:** Upon passage.

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### Simpson, Miller, Meeks R

(HOUSE SPONSORS — BAUER, ESPICH, BROWN C)

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January 7, 2002, read first time and referred to Committee on Health and Provider Services.

January 31, 2002, amended, reported favorably — Do Pass.

February 4, 2002, read second time, ordered engrossed. Engrossed.

February 5, 2002, read third time, passed. Yeas 49, nays 0.

#### HOUSE ACTION

February 11, 2002, read first time and referred to Committee on Public Health.

February 21, 2002, reported — Do Pass.

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ES 158—LS 6141/DI 98+



February 22, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## ENGROSSED SENATE BILL No. 158

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A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 12-15-31.1 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4       **Chapter 31.1. Adjustment of Pharmacy Dispensing Fees**

5       **Sec. 1. At least once every two (2) years, the office shall conduct**  
6 **a survey of pharmacy providers to assess the appropriate level of**  
7 **dispensing fees to be paid to providers for prescribed drugs.**

8       **Sec. 2. A survey under section 1 of this chapter must include an**  
9 **evaluation of dispensing fees in other states and the policies of the**  
10 **federal Centers for Medicare and Medicaid Services (formerly the**  
11 **Health Care Financing Administration).**

12       **Sec. 3. A dispensing fee shall be evaluated based upon the**  
13 **following information concerning the costs of pharmacy operation:**

- 14       (1) **Operational data.**  
15       (2) **Professional services data.**  
16       (3) **Overhead data.**  
17       (4) **Profit data.**

ES 158—LS 6141/DI 98+



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1       **Sec. 4. If an adjustment in dispensing fees is made following a**  
2       **survey conducted under section 1 of this chapter, the secretary**  
3       **shall commence the rulemaking process under IC 4-22-2 to make**  
4       **the adjustment not later than November 1 of the year in which the**  
5       **survey was conducted.**

6       SECTION 2. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "Not later than October 1 of each year," and insert "**At least once every two (2) years,**".

and when so amended that said bill do pass.

(Reference is to SB 158 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Meeks R be added as coauthor of Senate Bill 158.

SIMPSON

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 158, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN C, Chair

Committee Vote: yeas 11, nays 0.

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